



ITW

Application No.: 10/704,208
Supplemental Information Disclosure Statement
PATENT

Patent No. Docket No.

2960/114

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lang et al.

Application No.: 10/681,749

Group No.: 3731

Filed: November 7, 2003

For: **Methods for Determining Meniscal Size and Shape and for Devising Treatment**

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**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

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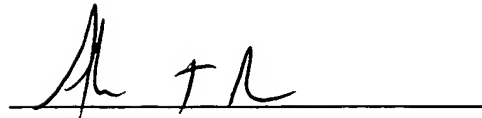
Date: August 2, 2005

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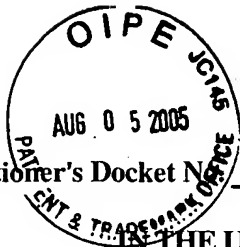
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DATE: August 2, 2005

A handwritten signature in black ink, appearing to read "A. J. Smolenski, Jr.", is written over a horizontal line.

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02960/114 418153



Practitioner's Docket No.

2960/114

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of

Inventor(s)

for

Title of invention

the specification of which is being transmitted herewith

OR

In re application of: Tsougarakis et al.

Application No.: 10/704,208

Group No.: 3731

Filed: November 7, 2003

Examiner: Not yet assigned

For: **Methods for Determining Meniscal Size and Shape and for Devising Treatment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

(Information Disclosure Statement--page 1 of 13)

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

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Date: August 2, 2005

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"Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable C.F.R.e, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant:

- (1) Within three months of the filing date of a national application;
- (2) Within three months of the date of entry of the national stage as set forth in section 1.491 in an international application; or
- (3) Before the mailing date of a first Office action on the merits, whichever event occurs last." 37 C.F.R. section 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. section 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. section 1.56(c).

NOTE: The "duty as described in section 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by sections 1.97(b) - (d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13-25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. section 1.51(b).

List of Sections Forming Part of This Supplemental Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard unused sections and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ Forms PTO/SB/08A and 08B (substitute for Form PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
 - 7A. ☒ EPO Search Report
 - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☐ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections _____, respectively, have been continued on ADDED PAGE(S).

NOTE : "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.



Application No: 10/704,208
Supplemental Information Disclosure Statement

SECTION 2: FORMS PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Tsougarakis et al. Attorney Docket: 2960/114
Serial No: 10/704,208 Art Group Unit: 3731
Date Filed: November 7, 2003 Examiner Name: Not yet assigned
Invention: Methods for Determining Meniscal Size and Shape and for Devising Treatment

**LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

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	AB	US 4,052,753	Oct. 11, 1977	Dedo	3/1
	AC	US 4,055,862	Nov. 1997	Farling	3/1.91
	AD	US 4,085,466	Apr. 1978	Goodfellow et al.	3/1.91
	AE	US 4,203,444	May 1986	Bonnell et al.	128/176
	AF	US 4,340,978	Jul. 1982	Buechel et al.	3/1.911
	AG	US 4,502,161	Mar. 1985	Wall	3/1.91
	AH	US 4,586,496	May 1986	Keller	128/92
	AI	US 4,601,290	Jul. 1986	Effron et al.	128/305
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	AK	US 4,627,853	Dec. 1986	Campbell et al.	623/16
	AL	US 4,769,040	Sep. 1988	Wevers	623/20
	AM	US 4,846,835	Jul. 1989	Grande	623/11
	AN	US 4,865,607	Sep. 1989	Witzel et al.	623/20
	AO	US 4,880,429	Nov. 1989	Stone	623/18
	AP	US 5,041,138	Aug. 1991	Vacanti et al.	623/16
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	AY	US 5,306,311	Apr. 1994	Stone et al.	623/18
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	DG	2001/0039455	Nov. 2001	Simon et al.	623/23.51
	DH	2002/0013626	Jan. 2002	Geistlich et al.	623/23.57
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	EK	EP	0613380	Nov. 1992	Braden et al.	A61L 27/00
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	FU	WO	01/17463	Mar. 2001	Mansmann	A61F 2/30
	FV	WO	01/19254	Mar. 2001	Cummings et al.	A61B 17/064
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	FZ	WO	01/70142	Sep. 2001	Carigan et al.	A61F 2/38
	GA	WO	01/91672	Dec. 2001	Simon et al.	A61F 2/36
	GB	WO	02/22014	Mar. 2002	Alexander et al.	A61B5/055
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	GN	C.S. Ranawat et al.	"MacIntosh Hemiarthroplasty in Rheumatoid Knee" Acta Orthop Belg. 1973 Jan-Feb: 39(1):102-112
	GO	B. Blum et al.	"Knee Arthroplasty in Patients with Rheumatoid Arthritis", ANN. Rheum. Dis. 1974 Jan: 33(1):1-11
	GP	Nelson M.D. et al.	"Arthroplasty and Arthrodesis of the Knee Joint", Orthop. Clin. North Am. 1971 Mar: 2(1):245-64.
	GQ	McCollum et al.	"Tibial Plateau Prosthesis in Arthroplasty of the Knee", J. Bone Joint Surg. Am. 1970 Jun:52(4):827-8.
	GR	Hastings D.E. et al.	"Double Hemiarthroplasty of the Knee in Rheumatoid Arthritis. A Survey of Fifty Consecutive Cases", J. Bone Joint Surg. Br. 1973 Feb:55(1):112-118.
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	GX	MacIntosh, D.L.	"Hemiarthroplasty of the Knee Using a Space Occupying Prosthesis for Painful Varus and Valgus Deformities", J. Bone Joint Surg. Am. 1958 Dec:40-A:1431.
	GY	Stauffer R. et al.	"The MacIntosh Prosthesis. Prospective Clinical and Gait Evaluation", Arch. Surg. 1975 Jun:110(6):717-720.
	GZ	Clary BB et al.	"Experience with the MacIntosh Knee Prosthesis", South Med. J. 1972 Mar:65(3):265-272.
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	HC	Potter M.D.	"Arthroplasty of the Knee With Tibial Metallic Implants of the McKeever and MacIntosh Design", Sug. Clin. North Am. 1969 Aug:49(4):903-915.
	HD	Potter T.A., et al.	"Arthroplasty of the Knee in Rheumatoid Arthritis and Osteoarthritis: A Follow-up Study After Implantation of the McKeever and MacIntosh Prostheses", J. Bone Joint Surg. Am. 1972 Jan:54(1):1-24.

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Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
	HE	Bogoch et al.	"Supracondylar Fractures of the Femur Adjacent to Resurfacing and MacIntosh Arthroplasties of the Knee in Patients with Rheumatoid Arthritis", Clin. Orthop. 1988 Apr. (229):213-220.
	HF	Cameron et al.	"Review of a Failed Knee Replacement and Some Observations on the Design of a Knee Resurfacing Prosthesis", Arch. Orthop Trauma Surg. 1980:97(2):87-89.
	HG	Kates A. et al.	"Experiences of Arthroplasty of the Rheumatoid Knee Using MacIntosh Prostheses", Ann. Rheum. Dis. 1969 May:28(3):328.
	HH	Jessop J.D. et al.	"Follow-up of the MacIntosh Arthroplasty of the Knee Joint", Rheumatol Phys. Med. 1972 Feb: 11 (5): 217-224.
	HI	Andersson GB et al.	"MacIntosh Arthroplasty In Rheumatoid Arthritis", Acta. Orthop. Scand. 1974:45 (2): 245-259
	HJ	Wordsworth et al.	"MacIntosh Arthroplasty for the Rheumatoid Knee: A 10-year Follow Up", Ann. Rheum. Dis. 1985 Nov:44 (11): 738-741.
	HK	Kay N.R. et al.	"MacIntosh Tibial Plateau Hemiprosthesis for the Rheumatoid Knee", J. Bone Joint Sur. Br. 1972 May: 54(2): 256-262.
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	HM	Tamez-Pena, J. et al.	"MRI Isotropic Resolution Reconstruction from two Orthogonal Scans", Proceedings of the SPIE – The International Society for Optical Engineering SPIE-OMT. Vol. 4322, pp. 87-97, 2001.
	HN	Vande Berg et al.	"Assessment of Knee Cartilage in Cadavers with Dual-Detector Spiral CT Arthrography and MR Imaging", published online before print 10.1148/radiol.2222010597, Radiology 2002; 22: pgs. 430-436
	HO	MacIntosh	"Arthroplasty of The Knee in Rheumatoid Arthritis", Proceedings and Reports of councils and Associations, J. Bone & Joint Surg. (Feb. 1966), Vol. 48B No. (1): 179

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Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
	HP	Leenslag et al.	"A Porous Composite for Reconstruction of Meniscus Lesions", Biological and Biomechanical Performance of Biomaterials, Elsevier Science Publishers B.V., Amsterdam, 1986, pp. 147-152
	HQ	Platt et al.	"Mould Arthroplasty of the Knee: A Ten-Year Follow-up Study", Oxford Regional Rheumatic Diseases Research Centre, J. of Bone and Joint Surg., Vol. 51B, No. 1, Feb. 1969, pp. 76-87
	HR	Brown, Ph.D. et al.	MRI Basic Principles and Application, 2 nd Edition Table of Contents, Copyright 1999
	HS	Stout et al.	X-ray Structure Determination, a Practical Guide, Copyright 1968, Table of Contents
	HT	Slone et al.	Body CT, A Practical Approach, Copyright 2000, ISBN 0-07-058219-X, Table of Contents
	HU		International Search Report dated 23 February 2005
	HV		International Search Report dated 13 May 2005

Examiner Signature: _____

Date Considered: _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation *if not* in conformance and not considered. Include copy of this form with next communication to applicant.

Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. section 1.98(a)(2) requires that any information disclosure statement filed under section 1.97 shall include: "A legible copy of: (i) Each U.S. and foreign patent; (ii) Each publication or that portion which caused it to be listed; and (iii) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included . . ."

NOTE: The wording in section 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.

(complete the following, if applicable)

☒ Exception(s) to above:

☐ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.

☐ Cumulative patents or publications identified in Section 5.

U.S. patent citations are not included pursuant to the United State Patent and Trademarks Office's September 21, 2004 waiver of the copy requirement in 37 CFR 1.98 for cited pending U.S. patent citations when the patent citations are available in the USPTO's IFW system.

Section 7A. Concise Explanation of Non-English Language Listed Information Items—EPO Search Report

The relevance with respect to the following citations listed on Forms PTO/SB/08A and 08B (substitute for PTO-1449):

is submitted on the basis of the accompanying:

(check the appropriate item)

☒ EPO search reports that are in the English language,

☐ EPO search report that is not in the English language and that is accompanied also by an English language version of the EPO search report,

that issued on the corresponding European patent application.

Section 10. Identification of Person(s) Making This Information Disclosure Statement

The person making this certification is

(check each applicable item)

- (a) ☐ the inventor(s) who signs below

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. section 1.56(c))

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

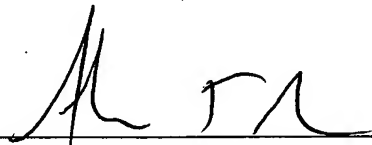
- (c) ☒ the practitioner who signs below on the basis of the information:

(check each applicable item)

☐ supplied by the inventor(s).

☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. section 1.56(c)).

☒ in the practitioner's file.



SIGNATURE OF PRACTITIONER

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